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### Remarks

Reconsideration of the above-captioned application is respectfully requested. Claims 1-3, 5-7, 9, 11-13, and 15-19, of which 1, 9, and 15 are independent, have been rejected under 35 U.S.C. §102 as being anticipated by Masaki et al., USPN 7,173,666 and dependent Claims 4, 8, 10, 14, 16, and 20 have been rejected under 35 U.S.C. §103 as being unpatentable over Masaki et al.

To overcome the rejections, the limitations of Claim 5 have been moved into Claim 1, the limitations of Claim 11 have been moved into Claim 9, and the limitations of Claim 20 have been moved into Claim 15, making the rejections of Claims 5, 11, and 20 of issue. Claim 1 further requires that panning always be in the direction of motion of an object in the video. Claims 1-4, 6-10, and 12-19 remain pending.

### Rejections Under 35 U.S.C. §102

Of the independent claims, only Claim 1 has been specifically treated, with the other two independent claims being dismissed with a statement "see the similar rejections as set forth above." Accordingly and turning to what specifics there are related to Claim 1, the Office Action, page 2, part (2) alleges that Masaki et al., element 500 is a display having a first aspect ratio, element 100 is a source of video having a second aspect ratio, and elements 200, 300, and 400 constitute "means for using motion vectors in the video to establish what portion of a video frame to present." Claim 5 (and, presumably, Claim 11) has been rejected based on Masaki et al., col. 22, lines 32-50.

Masaki et al., col. 22, lines 32-50 does not teach panning in the direction of motion, contrary to the allegation in the Office Action. Instead, col. 22, lines 40-50 clearly teach that the center of the display is

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defined by the center of the window having highest motion, not that the video image itself is panned in the direction of motion within the video. Using Masaki et al.'s teachings, direction of motion within a window is irrelevant; only magnitude of motion untethered by direction matters. Accordingly, the video in Masaki et al. can be panned from the center of one window to the center of another window having faster motion but in a direction that, for all Masaki et al. teaches, is a direction *opposite* the vector of motion of an object in the video. Accordingly, Claims 1 and 9 and their respective dependent claims are patentable.

It is also noted regarding Claim 2 that contrary to the vague allegation in the rejection that the elements 200, 300, 400 of Masaki et al. "are intended to be at the source or the display", Masaki et al. apparently envisions only the display undertaking the relied-upon logic, see, e.g., Masaki et al., col. 15, lines 7-10.

#### Rejections Under 35 U.S.C. §103

Of relevance to amended independent Claim 15 is the allegation that because Masaki et al. teaches it is applicable to any non-standard aspect ratio, then for some reason basing panning based on program type is obvious. But program type is not aspect ratio, and there is no connection between the two concepts. A sports program can be shown in either HD or SD, as can be a still scene of a Van Gogh painting. The rejection is based not on evidence of record as is otherwise required by MPEP §2142 *et seq.* and KSR Int'l Co. v. Teleflex Inc., 127 S.Ct. 1727 (2007), but by unsupported examiner argumentation, and consequently cannot legitimately form a *prima facie* case of unpatentability.

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The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



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